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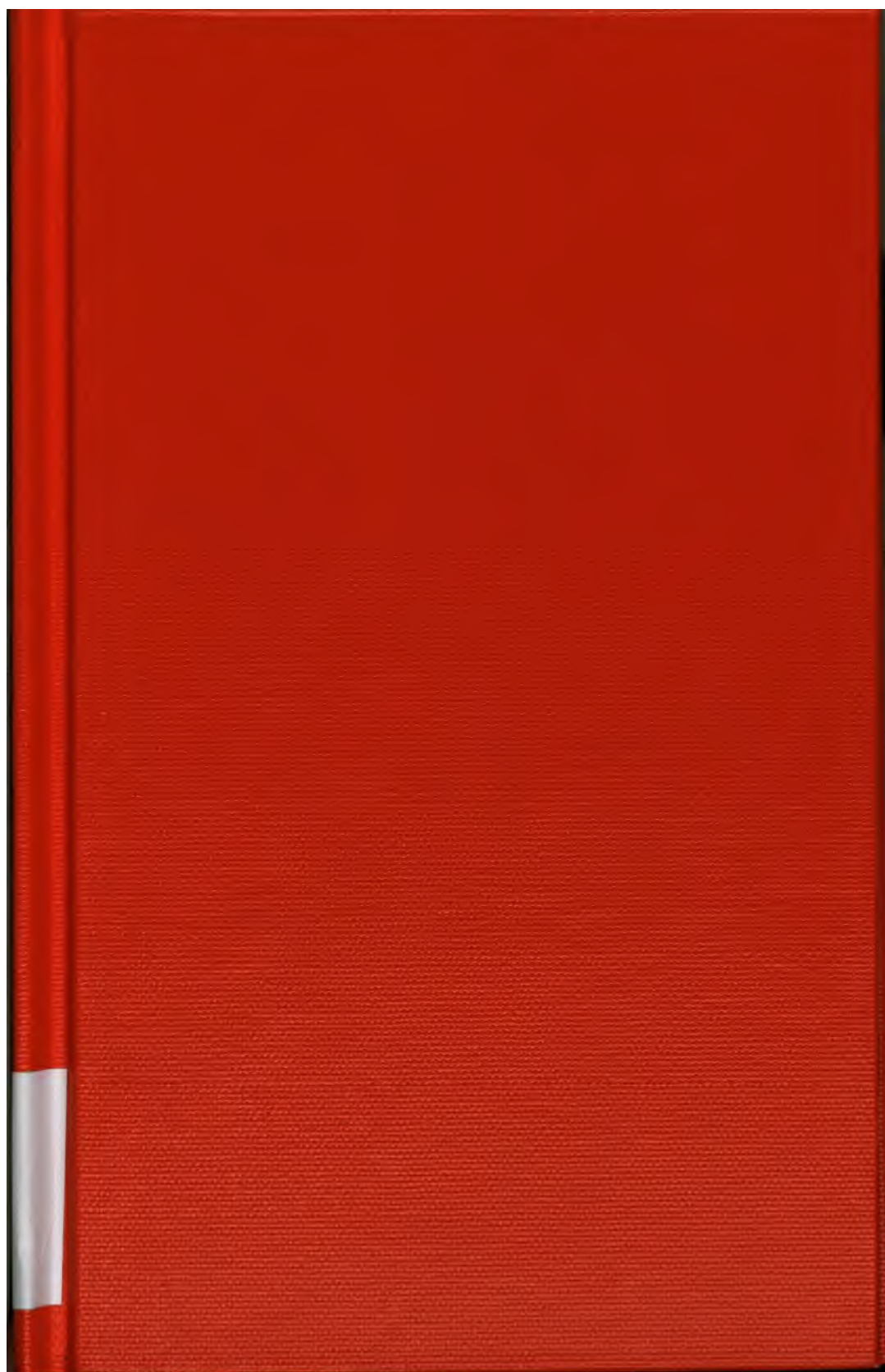
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ADDRESS
BY
MR. S. TEACKE WALLIS,
President of the Association.

WITH THE SERMON OF
HIS REVEREND, HONORABLE WORTH,

Delivered to the Senate Chamber at Annapolis.

At the Meeting of the State of
CHIEF JUSTICE TANEY,

December 10th, 1872.

BALTIMORE
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BALTIMORE, MARYLAND, AND WASHINGTON.
1872.

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ADDRESS

OF

Speech
MR. S. TEACKLE WALLIS,

CHAIRMAN OF THE COMMITTEE,

WITH THE REPLY OF
HIS EXCELLENCY, GOVERNOR WHYTE,

Delivered in the Senate Chamber, at Annapolis,

At the Unveiling of the Statue of

CHIEF JUSTICE TANEY,

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The ceremonies attendant upon the unveiling of the Statue erected by the State of Maryland, in honor of the late Chief Justice ROGER BROOKE TANEY, took place in the Senate Chamber, at Annapolis, at noon of December 10th, 1872. The Report and Address of the Committee were read by the chairman, Mr. S. T. Wallis, who in their name made formal delivery of the Monument to the Governor of the State. His Excellency, Governor Whyte, responded briefly and, when he had concluded, the company proceeded to the grounds in front of the State House, where, upon the order of the Governor, the statue was uncovered.

During the ceremony in the Chamber, the Governor occupied the place of the President of the Senate, the Judges of the Court of Appeals, with other prominent representatives of the Bench and Bar of the State, being upon one side, and the Officers of the Naval Academy, in full uniform, with Rear Admiral Worden at their head, being seated on the other. His Excellency remained standing during the delivery of Mr. Wallis' address.

REPORT AND ADDRESS
OF THE
Chairman of the Committee.

YOUR EXCELLENCY:

BY an Act of the General Assembly of Maryland, passed at the Session of 1867, the sum of five thousand dollars was appropriated for "the building or erecting a suitable monument over the remains of the late Chief Justice ROGER B. TANEY, on some suitable site in the State House yard, or in the State House itself," and Messrs. G. Frederick Maddox, of St. Mary's county, Chas. E. Trail and Hugh McAleer, of Frederick county, James T. Earle, of Queen Anne's county, Henry Williams, of Calvert county, and George M. Gill and S. T. Wallis, of Baltimore city, were appointed a committee to carry into effect the provisions of the statute. Upon the organization of the committee, it was found to be their unanimous desire that the execution of the proposed work should be entrusted to the distinguished sculptor, Mr. William H. Rinehart, a native and citizen of Maryland, for many years a resident of Rome. The amount appropriated being wholly insufficient, not only to compensate the labors of so

eminent an artist, but even to meet the necessary cost of a monument at all worthy of the State and the occasion, the committee entertained serious doubts of their ability to discharge their duties satisfactorily, without further legislative provision. From this embarrassment they were happily relieved by the liberality and public spirit of the artist himself, who responded to their invitation by a prompt and unconditional acceptance of the commission. It is gratifying to the committee to make official acknowledgment of their obligations to Mr. Rinehart, for the cheerful readiness with which he not only undertook the work, but volunteered to be content with the honor of the commission as it stood, and the pride and pleasure of uniting with his fellow-citizens in their tribute to the illustrious dead. The committee, of course, did not feel that it became them so far to tax the generosity of any individual citizen, and particularly one to whom the State already owed so much, for the reflected honor of his well-earned reputation. They, nevertheless, requested Mr. Rinehart to prepare them such design as seemed to him appropriate, and the model of the present statue was accordingly sent forward, while the General Assembly of 1870 was in session. The engagement of Mr. Rinehart and the plan of his work were so acceptable to the members of both Houses, that an additional appro-

priation of ten thousand dollars was at once made for the completion of the monument, according to his design, and under the direction of the original committee. It would be ungracious not to recognize the liberal and most becoming spirit in which this legislative action was taken, and its perfect accord with the deep and spontaneous feeling which had welcomed the first appropriation.

The Legislature of 1867, as appears by the Act of that date, had contemplated the removal of the remains of Chief Justice Taney to the Capital of the State, and the erection of the monument above them. The suggestion, in itself, was eminently appropriate, for many reasons. It was here that, as a student, he had laid the deep and broad foundations of his professional learning and success. In the chamber where we meet to-day, to do him honor—and to whose historical associations this scene will add another, not the least—he sate, for years, a Senator of Maryland, the peer of the distinguished men who sate around him, when no legislative body in the Union surpassed that Senate in dignity, ability, or moral elevation. In the Chamber there, above us, where the honorable Judges, who join us in this tribute to his memory, uphold the ancient credit of the State's Appellate Bench, at the zenith of his reputation as advocate and counsel and in the very ripeness of his powers, he shone, the leader

of the bar of Maryland, its actual not less than its official head. And those were days too, when to lead it was to walk in the footsteps of Pinkney and be measured by the measure of his genius. If, therefore, he had slept beneath this dome, or in its shadow, it would have been with the dwelling-places of his fame about him, surrounded by the olden and consecrated memories of the State, which was but a revolted colony when he was born.

But the wishes of the Chief Justice himself, upon that subject, had been too strong and were too sacred, to be violated by his children, even for the gratification of the public desire. The quiet town of Frederick, the theatre of his earlier professional distinction, was hallowed to him by the grave of his mother, and when he left it, in mid life, for larger spheres of usefulness and honor, he exacted the pledge, from those who loved him, that he should be laid beside her when he died. Nor was this the outbreak of fresh grief or transient sentiment or feeling.—Through all his life of toil and struggle, ambition, reward and disappointment, it was his dearest longing; and there is something inexpressibly touching in the warmer and more anxious hope with which the world-worn man clung fast to it, as the period drew nearer for its consummation. The literature of the English tongue has nothing

that exceeds in mournful tenderness and grace the expression which he gave to it, in a letter written but a little while before the pledge of friendship was redeemed. Such a feeling—so devoted, and cherished for so long—it would have been next to sacrilege to disregard, and the Legislature of 1870 respected it accordingly, by withdrawing from the appropriation of their predecessors and their own all but the one condition, which required the monument to be erected where it stands. The final selection of that locality, with its exposure, rendered it expedient that the statue should be cast in bronze, and the Legislature, therefore, so directed.

With the erection of the monument, the prescribed duties of the committee which I have the honor to represent were substantially ended, but in view of the time which must elapse before another session of the General Assembly, they have deemed it due to the dignity of the occasion respectfully to invite the official intervention of your Excellency, in delivering the finished work to the people of the State. It would have been a pleasure to them, if they could have felt at liberty to anticipate the wishes of the Legislature, or have ventured to ask that your Excellency would gratify your own, by authorizing a more formal celebration than this quiet homestead gathering.

As a few moments will disclose to us, the artist has chosen to present us his illustrious subject in his robes of office, as we saw him when he sate in judgment. The stature is heroic, but, with that exception, the traits of nature are not altered or disguised. The weight of years that bent the venerable form has not been lightened, and the lines of care, and suffering, and thought, are as life traced them. But, unless the master's hand has lost its cunning, we shall see not merely the lineaments we knew, but traces of the soul which illuminated and informed them. The figure has been treated by the artist in the spirit of that noble and absolute simplicity which is the type of the highest order of greatness, and is therefore its grandest, though its most difficult expression, in art. The sculptor deals easily enough with subjects which admit of ornament and illustration, or address the passions or the fancy. The graces he can lend his work—the smiles with which it wins us—the beautiful or joyous images or thoughts with which he can surround it—each is to us an open leaf of the fair poem which he writes in bronze or marble. Like the chorus of a drama, they tell, even for the worst of poets, far more than half his story. Another task indeed it is, to embody in a single image the expression of a great historic life, so that standing severe and apart, it shall be its own interpreter, forever, to the generations of men.

The pathway of a great judge does not lead through the realms of fancy. Neither in reality nor in retrospect is there much of the flush of imagination upon it or about it. With such a career Art cannot deal, nor History, as with those brilliant lives, which dazzle while they last and are seen only through a halo when they are over. The warrior, the orator, the poet—each in his way—is linked with the imagination or enthusiasm of mankind; and so the broken sword, the unstrung lyre, the shattered column with its cypress wreaths, all have their voices for the common heart. But the atmosphere of pure intellect and dispassionate virtue, serene although it be, is far too cold for ordinary sympathies to live in. The high ministers of human justice are segregated from their fellows, by their very function, which shuts out favor and affection. Fidelity to the obligation which withdraws them from the daily interests and passions and almost from the converse of society, is the patent of their nobility in their great office. The loftier the nature, the more complete its isolation, to the general eye—the fewer the throbs which answer to its pulses.—Such men may be cherished and beloved, in the personal and near relations which are the dearest blessing of all lives. They may be venerated and revered, so that all heads shall be bowed and uncovered when they pass. But they go, when life

closes, into the chamber of heroes, fated to dwell afar off, only, in the memories and minds of men.

When the great citizen whose image is beside us walked, in his daily walk, amid our reverence, the simple beauty of his private life was all before us. We can recall his kindly smile, his open hand, his gracious, gentle speech. The elders of our generation will remember how his stormy nature was subdued, by duty and religion, to the temperance, humility and patience which we knew. All of us saw and wondered how domestic sorrows, the toils and trials of his station, old age, infirmity of body, ingratitude, injustice, persecution, still left his intellect unclouded, his courage unsubdued, his fortitude unshaken, his calm and lofty resignation and endurance descending to no murmur nor resentment. These things the sculptor is not called to tell to those who shall come after us. The pen of the biographer has worthily recorded them, and just posterity will read what he has written. The image of the Magistrate and Ruler, as the world was wont to see him, is all that the chisel bequeaths to immortality—his image, as History shall see it, when, ashamed of the passions of our day, she shall be once more reconciled with Truth. With this noblest of the tasks of Art, only genius may deal fitly—yet genius has dealt with it, and its difficulties, overcome, are the glory and the triumph of genius.

Thus, then, to-day, sir, the State of Maryland, with grateful reverence and pride, commemorates a life, than which few greater, and none loftier or purer, shall dignify the annals of our country. It was a life coeval with her own, and a part of her own, and she honors what she knew. It was a life of patriotism, of duty, and of sacrifice; a life whose aim and effort, altogether, were to be, and do, and bear, and not to seem. The monument her people rear to it is scarcely less her monument than his to whom it rises. What changes shall roll round it with the rolling seasons; whether it shall survive the free institutions of which Taney was the worshipper and champion, or shall see them grow in stability, security and splendor; whether it shall witness the development and beneficent expansion of the constitutional system which it was the labor of his life and love to understand and to administer, or shall behold it,

“ Like a circle in the water,
Which never ceaseth to enlarge itself,
Till, by broad spreading, it disperse to naught ”—

are questions which men will answer to themselves, according to their hopes or fears—according to their trust, it may be, in the Mercy and Providence of God. But Maryland has done her part for good, in this at least, that she has made imperishable record, for posterity, of the great

example of her son. She has builded as it were a shrine to those high civic qualities and public virtues, without which, in their rulers, republics are a sham, and freedom cannot long abide among a people.

It was, I was about to say, the sad mischance—but, in a higher though more painful sense, the privilege and fortune—of Chief Justice Taney, to fill his place in times of revolution and unparalleled convulsion—when blood boiled in the veins of brethren, till it was red upon a million hands. In such a crisis, no man so conspicuous as he, and yet so bound to shun the rancor of the strife, could hope for freedom from distrust and challenge. A soul, brave and tenacious as his was—so sensitive to duty, and so resolute to do it—provoked injustice not to be appeased, and dared reproaches which he might not answer. His constitutional opinions were already part of the recorded jurisprudence of the country, and he could not change them, because the tempest was howling. It was the conviction of his life that the Government under which we lived was of limited powers, and that its Constitution had been framed for war as well as peace. Though he died, therefore, he could not surrender that conviction at the call of the trumpet. He had plighted his troth to the Liberty of the Citizen and the Supremacy of the Laws, and no man could put them asunder.

Whatever might be the right of the people to change their Government, or overthrow it, he believed that the duty of the judges was simply to maintain the Constitution, while it lasted, and, if need were, defend it to the death. He knew himself its minister and servant only—not its master—commissioned to obey and not to alter. He stood, therefore, in the very rush of the torrent, and, as he was immovable, it swept over him. He had lived a life so stainless, that to question his integrity was enough to beggar the resources of falsehood and make even shamelessness ashamed. He had given lustre and authority, by his wisdom and learning, to the judgments of the Supreme Tribunal, and had presided over its deliberations with a dignity, impartiality and courtesy which elevated even the administration of justice. Every year of his labors had increased the respect and affection of his brethren and heightened the confidence and admiration of the profession which looked up to him as worthily its chief. And yet he died, traduced and ostracised, and his image was withheld from its place in the chamber which was filled already with his fame.

Against all this, the State of Maryland here registers her protest in the living bronze. She records it in no spirit of resentment or even of contention, but silently and proudly—as her illus-

trious son, without a word, committed his reputation to the justice of his countrymen. Nor doubts she of the answer that posterity will make to her appeal. Already the grateful manhood of the people has begun to vindicate itself and him. Already, among those whose passion did him wrong, the voices of the most eminent and worthy have been lifted, in confession of their own injustice and in manly homage to his greatness and his virtues. Already the waters of the torrent have nearly spent their force, and high above them, as they fall, unstained by their pollution and unshaken by their rage, stands where it stood, in grand and reverend simplicity, the august figure of the great Chief Justice!

GOVERNOR WHYTE'S REPLY.

Governor Whyte proceeded to reply from his place. He said :

Accustomed, almost from the cradle, to revere the name of Taney as the synonym of all that is just and good, I dare not now give utterance to my private feelings, but must needs confine myself to the cold formality of official duty.—Maryland had already reared a stately column to him who was “first in war, first in peace, and first in the hearts of his countrymen,” and it was the duty, as it has been the pleasure of the State, to hand down to posterity, as in this memorial of molten bronze, an enduring tribute of affection and regard for her own illustrious son, upon whose shoulders the judicial ermine lay, stainless as the virgin snow.

In accepting your report and taking the statue into the permanent custody of the State, I should be remiss in duty, as its representative, did I not thank you for your willing and faithful discharge of the obligation laid upon you, and I congratulate the State that your voluntary choice of the artist to execute the legislative resolve, has fallen upon one of her own honored children. In his presence and in advance of the exposition of his finished work, delicacy forbids my further comment.

There must be, I think, general concurrence of sentiment that this is not the appropriate occasion for an extended eulogy upon the life and character of the late Chief Justice, (if, indeed, a life of "apostolic simplicity" be not its own best eulogist,) but it will be my privilege, in response to an apparent popular demand, to make suggestions to the General Assembly that a proper moment and an apt orator be selected to do justice to his preëminent judicial services and to commemorate his private virtues in the presence of the two Houses, in each of which, at times during his long and useful life, he was a distinguished actor, and much of whose legislation bears the impress of his master hand.



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